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# ORIGINAL

FILED

HARRISBURG, PA

OCT 22 2002

MARY E. D'ANDREA, CLERK  
Per JL Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RANDY YORDY,  
Plaintiff

v.

SCOTT BROWN, et. al.,  
Defendants

CIVIL ACTION 1:CV 01-0206

JURY TRIAL DEMANDED

JUDGE K. Cope

**MOTION FOR CONTINUANCE OF TRIAL**

AND NOW this 22 day of Oct, 2002 comes the Plaintiff, Randy Yordy by and through his attorney, Spero T. Lappas, Esquire, and, with the concurrence of the Defense, requests a Continuance of Trial, respectfully representing as follows:

1. Counsel for the parties have recently been made aware of the fact that Randy Yordy is presently at the Philhaven Health Systems Inpatient Unit where he is undergoing a ninety (90) day therapeutic stay for alcohol abuse. This stay is, to the understanding of the parties, in connection with a Court mandated revocation of Mr. Yordy's probation from the Court of Common Please of Dauphin County.

2. Mr. Yordy has indicated to his counsel that this stay will last until approximately late December.

3. Accordingly, the parties believe that under the circumstances the trial in this matter should be continued until January or February, 2003.

WHEREFORE, the parties request a Continuance of this Trial.

Respectfully submitted,

**SERRATELLI, SCHIFFMAN, BROWN  
& CALHOON, PC**

BY: 

Spero T. Lappas, Esquire

I.D. No. 25745

Suite 201, 2080 Linglestown Road

Harrisburg, PA 17110

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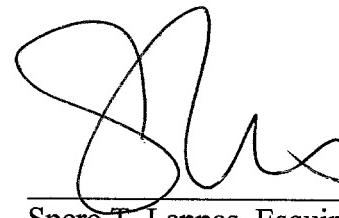
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I, Spero T. Lappas, Esquire, hereby certify that I have served a true and correct copy of the foregoing document by depositing such in the regular U.S. Mail, addressed as follows:

Gregory Newhouser  
Office of Attorney General  
Strawberry Square  
Harrisburg, Pa 17120

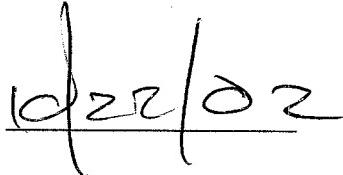
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Attorney for Plaintiff

Date:



10/22/02

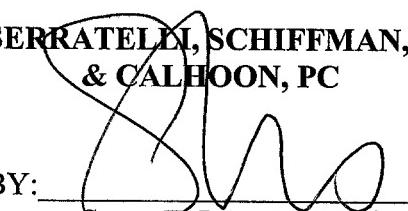
**CERTIFICATE OF CONCURRENCE**

I, Spero T. Lappas, Esquire, hereby certify that Defense counsel, Gregory Newhouser, Esquire Concurs in this request for Continuance.

Respectfully submitted,

**SERRATELLI, SCHIFFMAN, BROWN  
& CALHOON, PC**

BY:

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Attorney for Plaintiff